

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

NOEL FREEMAN,
YADIRA ESTRADA, and
RONALD REESER,

Plaintiffs,

versus

ANNISE D. PARKER, in her official
capacity as Mayor of the City of
Houston;

and

THE CITY OF HOUSTON, a Texas
municipality,

Defendants.

CASE NO. 4:13-cv-3755

UNOPPOSED

**FINAL ORDER LIFTING STAY, DISSOLVING PRELIMINARY
INJUNCTION, AND DISMISSING CASE AS MOOT**

Before the Court is the Plaintiffs' *Unopposed Motion to Lift Stay, Dissolve Preliminary Injunction, and Dismiss Case as Moot* [Dkt 15]. The motion is granted.

On August 29, 2014, this Court entered a preliminary injunction [Dkt 13] preserving the status quo and enjoining the City of Houston from discontinuing spousal employment benefits to same-sex spouses of City employees until such time as a final determination is entered by an appellate court concerning the constitutionality of Texas laws which deny same-sex couples the right to marry or have their marriages entered in another jurisdiction recognized in Texas and staying further proceedings.

That order is hereby dissolved.

On June 26, 2015, the United States Supreme Court issued its decision in *Obergefell v. Hodges*, No. 14-556, 2015 U.S. LEXIS 4250 (U.S. June 26, 2015), holding that state marriage restrictions denying same-sex couples the right to marry and refusing to recognize the marriages of same-sex couples entered in other jurisdictions are unconstitutional as a violation of the liberty and equality guarantees of the Fourteenth Amendment.

On July 1, 2015, the Fifth Circuit Court of Appeals issued its decision in *DeLeon v. Perry*, No. 14-50196, 2015 U.S. App. LEXIS 11375 (5th Cir. July 1, 2015), applying the *Obergefell* decision to strike down Texas's own laws denying same-sex couples the right to marry and refusing to recognize marriage of same-sex couples entered in other jurisdictions.

This Court finds that *Obergefell* and *DeLeon*, are dispositive of this matter, the Defendants have indicated their intention to comply with the federal decisions, and that Plaintiffs claims are thus rendered moot.

THEREFORE, it is so ordered this case is dismissed pursuant to Federal Rule of Civil Procedure 41(a)(2), the parties to bear their own respective costs and fees.

Dated July 6, 2015.



Sim Lake
United State District Judge